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SUBJECT: TIP: COURT DELIVERS FIRST CONVICTION UNDER ANTI-TRAFFICKING LAW

¶1. Summary. The High Court in Benin City delivered the first conviction under the 2003 Human Trafficking Prohibition Law last week. Sarah Okoya was found guilty of attempting to procure persons for prostitution, attempting to organize foreign travel for prostitution, and deceitfully inducing persons to travel out of Nigeria. The judge sentenced Okoya to three years' imprisonment, eleven years less than the maximum penalty. The conviction was an important symbolic step in Nigeria's efforts to combat trafficking. It both reflects and reinforces the gradual change in attitude toward trafficking as a serious crime, and hopefully will pave the way for future convictions. End summary.

¶2. On November 18, the high court in Benin City delivered the first conviction under Nigeria's Human Trafficking Prohibition and Law Enforcement Act of 2003. According to a press release from the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), Sarah Okoya was found guilty on six counts each of attempting to procure persons for prostitution, attempting to organize foreign travel for persons for prostitution, and deceitfully inducing persons to travel out of Nigeria. The Edo State chief judge sentenced Okoya to thirty-six months' imprisonment.

¶3. According to the verdict, Okoya convinced six girls to travel with her under the pretext that she had jobs for them in Spain. Her defense was that the girls' parents agreed to let them go with her. The party travelled only as far as Cotonou, Benin, before Okoya was arrested and she and the girls were returned to Nigeria by the Nigerian Embassy. NAPTIP brought charges against her September 29, 2004.

¶4. The court could have sentenced Okoya to a fourteen year prison term. The judge, however, declined to sentence Okoya to the maximum ten-year term for deceitful inducement, saying she did not agree with the penalty provisions in that section of the law. According to newspaper reports, the judge also said that if Okoya had succeeded in trafficking the girls into prostitution, she would have faced the full brunt of the law because that offence "undermines the integrity of the society and brings an international disgrace to Nigerians." The judge noted that trafficking is now a topical international issue and took the opportunity to warn parents about the new trafficking prohibition law.

¶5. Shadrach Haruna, head of the NAPTIP Legal and Prosecution Department, told Poloff the court case received significant coverage in the Benin City media. Coverage in papers with national circulation, however, has been limited. Haruna said NAPTIP currently is prosecuting five other trafficking cases. He and other officials hope the Okoya conviction will demonstrate Nigeria's commitment to combatting trafficking and help pave the way for additional convictions.

¶6. Comment. Achieving this first conviction was an important milestone for NAPTIP in demonstrating the brunt of the anti-trafficking law. That the chief judge presided over the case also is a sign of the court's seriousness. The judge's comment that the penalty for deceitful inducement to travel was too severe was somewhat unfortunate, but overall, the verdict was a good one. Additionally, the judge's admonishment to parents hopefully will make another dent in the common perception that it may be in the family's best interest to send children away. It also suggests parents might be held liable. The emerging realization that trafficking reflects poorly on Nigeria internationally may help combat the crime, especially given the current heightened attention government and society are focusing on improving Nigeria's image abroad. End comment.

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